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Legislative Bulletin

An Official Publication of the Hilliard City Council

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ORDINANCES

The following Ordinances were passed by Hilliard City Council on June 14, 2021.

21-17 ENACTING SECTION 525.19 OF THE CITY'S CODIFIED ORDINANCES REGARDING UNLAWFUL DISCRIMINATORY PRACTICES.

WHEREAS, Ohio law currently prohibits discriminatory practices in housing, employment, and public accommodations based on race, sex, color, religion, ancestry, national origin, age, disability, familial status, marital status, or military status; and

WHEREAS, the City of Columbus, the City of Bexley, City of Worthington, and City of Westerville have adopted ordinances to ban discrimination in housing, employment, and public accommodations based on race, sex, sexual orientation, gender identity, gender expression, color, religion, ancestry, national origin, age, disability, familial status, marital status, genetic information, military status, or pregnancy; and

WHEREAS, the City of Hilliard does not currently have an ordinance prohibiting discrimination in employment and public accommodations; and

WHEREAS, in an effort to codify anti-discrimination measures holistically, City Council desires to enact Section 525.19 of the City's Codified Ordinances regarding Unlawful Discriminatory Practices; and

WHEREAS, it is the desire of Council to eliminate discrimination in Hilliard based upon race, sex, sexual orientation, gender identity, gender expression, color, religion, ancestry, national origin, age, disability, marital status, familial status, marital status, genetic information, military status, or pregnancy; and

WHEREAS, Council believes enacting Section 525.19 of the City's Codified Ordinances, as shown on Exhibit "A", attached hereto and incorporated herein, promotes the general health, safety, and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio:

SECTION 1. Council finds that enacting Section 525.19 of City's Codified Ordinances is in the City's best interest, as identified in Exhibit "A", **attached** hereto and incorporated herein. Section 525.19, as shown in Exhibit "A" is approved and shall be incorporated into the City's Codified Ordinances.

SECTION 2. This Ordinance shall be in full force and effect from and after the earliest time provided by law.

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21-18 AMENDING SECTIONS 525.15 AND 541.08 OF THE HILLIARD CODIFIED ORDINANCES ADDING CLASSES TO CRIMINAL VIOLATIONS OF FAIR HOUSING RIGHTS AND ETHNIC INTIMIDATION.

WHEREAS, Section 525.15 of the City's Codified Ordinances makes it a criminal violation to interfere or discriminate against certain classes of people regarding the selling, purchasing, renting of houses; and

WHEREAS, Section 541.08 of the City's Codified Ordinances makes it a criminal violation to commit certain offenses, such as menacing, by reason of a person's inclusion into a certain class; and

WHEREAS, City Council finds it necessary to expand the classes of protected persons in these sections to include sex, sexual orientation, ~~or~~ and gender identity or expression; and

WHEREAS, the City believes that amending the City's Codified Ordinances, as identified in Exhibits "A" and "B", attached hereto and incorporated herein, promotes the general health, safety, and welfare of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. Council finds that amending Section 525.15, as identified in Exhibit "A", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 525.15, as shown in track changes in the attached Exhibit "A" are approved and shall be incorporated in the City's Codified Ordinances.

SECTION 2. Council finds that amending Section 541.08, as identified in Exhibit "B", **attached** hereto and incorporated herein, is in the City's best interest. The changes and additions to Section 541.08, as shown in track changes in the attached Exhibit "B" are approved and shall be incorporated in the City's Codified Ordinances.

SECTION 3. All other provisions of Sections 525.15 and 541.08, not modified herein, remain unchanged and are in full force and effect.

SECTION 4. This Ordinance shall be in effect from and after the earliest time provided for by law.

21-19 APPROPRIATING FUNDS FOR THE PURPOSE OF CONTINUING THE HILLIARD EXPRESS TRANSPORTATION PROGRAM AND AUTHORIZING AN EXPENDITURE OF THOSE FUNDS.

WHEREAS, the City entered into a Pilot Transportation Program with SHARE Mobility, aptly named Hilliard Express Transportation (the "Hilliard Express") beginning November 1, 2020; and

WHEREAS, the intent of the Hilliard Express is to assist Hilliard residents fifty five years of age and older age in place and maintain their dependence by providing transportation to and from locations, including the grocery store; and

WHEREAS, the Hilliard Express was initially funded with \$40,000 from Cares Act Funding and slated to run two months through the end of December 2020; and

WHEREAS, the Hilliard Express was able to be extended two months through the end of February 2021; and

WHEREAS, the Hilliard Express was extended again with Council action appropriating \$36,000 in order to provide the service for an additional three months, through the end of May 2021; and

WHEREAS, to continue the Hilliard Express through the end of 2021, Council desires to appropriate an additional \$84,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

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21-19 (continued):

SECTION 1. An appropriation in the amount of \$84,000 is authorized from Fund 101, Object 52 for the purpose of continuing the Hilliard Express Transportation Program for an additional seven months.

SECTION 2 City Council authorizes the expenditure of funds from Fund 101, Object 52 to SHARE Mobility for the Hilliard Express Transportation Program.

SECTION 3. Pursuant to Section 3.07 of the Charter for the City of Hilliard, Ohio, this Ordinance shall take effect upon passage.

RESOLUTIONS

The following Resolutions were passed by Hilliard City Council on June 14, 2021.

21-R-40 DIRECTING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT IN ORDER TO PROVIDE MEDIATION AND DISPUTE RESOLUTION SERVICES TO THE COMMUNITY.

WHEREAS, City Council desires to offer mediation services and guidance to its residents regarding certain disputes; and

WHEREAS, in order to provide this service, City Council desires that a plan for establishing the services be developed which outlines procedures regarding the use of the services; and

WHEREAS, the City believes that establishing mediation and dispute resolution services for the community promotes the general health, safety, and welfare of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. City Council directs the City Manager to enter into a professional services agreement in order to provide mediation and dispute resolution services to the community. To allow for these services, the City Manager shall present any needed amendments to the City's Codified Ordinances and prepare all procedures necessary for governing the mediation and dispute resolution services to City Council for approval.

SECTION 2. Data of annual case load and case resolution rate shall be tracked and provided to City Council on an annual basis.

SECTION 3. This Resolution is effective upon its adoption.

21-R-41 ACCEPTING THE DEDICATION OF ROADS AND EASEMENTS FOR PUBLIC AND PRIVATE UTILITIES, CABLE TELEVISION, SERVICE CONNECTIONS AND STORM WATER DRAINAGE FOR SECTION 4, PHASE 2 OF HERITAGE PRESERVE.

WHEREAS, on February 25, 2013, Council passed Ordinance No. 13-01 rezoning 418.75± acres of land owned by Planned Development Company of Ohio and Danken, LLC, from A-1 to Planned Unit Development consisting of 405 single-family lots, 282 multi-family dwelling units, and 232.84 acres of open space, which development is identified as the Heritage Preserve PUD; and

WHEREAS, upon application by Grand Communities LLC and DLG Consulting Engineers (collectively, the "Owner"), on May 13, 2021, at its regularly scheduled public meeting, the City's Planning and Zoning Commission approved the final plat

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21-R-41 (continued):

("Final Plat") for Section 4, Phase 2 of Heritage Preserve for the development of 25 single-family lots on 16.865± acres of land (the "Property"); and

WHEREAS, the Owner has offered to dedicate to the City of Hilliard the public road known as Aviary Loop, and easements for the construction, operation, and maintenance of all public and private utilities, including cable television, above and beneath the surface of the ground, for the construction, operation, and where necessary, easements for the construction operation, and maintenance of service connections, and for storm water drainage in, to, and over certain real property described in the Final Plat, attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, this offer of dedication has been made by the Owner in support of the development of the Property depicted on Exhibit "A"; and

WHEREAS, it is to the interest and benefit of the City of Hilliard, its residents and the public at large that the dedications proposed on Exhibit "A" be accepted by the City of Hilliard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The City of Hilliard accepts the dedication of the public road known as Aviary Loop and easements for public and private utilities, cable television, service connections and storm water drainage, within Heritage Preserve Section 4, Phase 2, as shown on Exhibit "A", **attached** hereto and incorporated by reference herein.

SECTION 2. The City Engineer is authorized to approve any necessary administrative changes to affect the proper recording of the Final Plat identified on Exhibit "A" and is authorized to provide the Clerk of Council with a final recorded copy of said plat.

SECTION 3. The Clerk of Council, Chairman of the Planning and Zoning Commission and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of the dedication and recording of the Final Plat.

SECTION 4. This Resolution is effective upon its adoption.

21-R-42 **AUTHORIZING THE CITY MANAGER TO ACCEPT THE CONVEYANCE OF A QUIT CLAIM DEED FOR 0.024± ACRES OF LAND FROM VESSEL PARTNERS, LLC FOR THE PURPOSE AS PUBLIC RIGHT-OF-WAY.**

WHEREAS, Vessel Partners, LLC, owns ±4.05 acres (the "Property") located on the eastern side of Hilliard Rome Road at Sutter Home Road, identified as tax parcel identification number 050-002905; and

WHEREAS, at its regularly scheduled meeting on September 10, 2020, the Hilliard Planning and Zoning Commission ("P&Z") approved a positive recommendation to City Council that the Property be rezoned to a Planned Unit Development ("PUD"); and

WHEREAS, at its regularly scheduled meeting on October 26, 2020, Hilliard City Council approved a rezoning of the Property to a PUD; and

WHEREAS, at its regularly scheduled meeting on March 11, 2021, P&Z approved a final development plan, a lot split, and a sign variance for a 5,325-square-foot medical office building to be constructed on approximately one (1) acre of the Property; and

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21-R-42 (continued):

WHEREAS, Vessel Partners, LLC has offered to convey an additional 6 feet of right-of-way along Hilliard Rome Road to meet the recommended 50 feet of right-of-way width per the City's Thoroughfare Plan; and

WHEREAS, Vessel Partners, LLC has signed a Quit Claim Deed to the City of Hilliard for 0.024± acres of land that contains the additional 6 feet of right-of-way along Hilliard Rome Road identified on Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, it is to the interest and benefit of the City of Hilliard and the public at large that the Quit Claim Deed be accepted by the City of Hilliard.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The City Manager is authorized to accept the conveyance of 0.024± acres of land, at no cost, from Vessel Partners, LLC by Quit Claim Deed, for public right-of-way.

SECTION 2. The City Engineer, or designee, is authorized to approve any necessary administrative changes to affect the proper recording of the Quit Claim Deed for the property identified in **Exhibit "A"**, attached hereto and incorporated herein, and is authorized to provide the Clerk of Council with a final recorded copy of said deed.

SECTION 3. The City Manager, Clerk of Council, and City Engineer, or designee, are authorized to do all acts and to execute all instruments that are necessary or appropriate to carry out the acceptance and recording of the Quit Claim Deed on behalf of the City.

SECTION 4. This Resolution is effective upon its adoption.

21-R-43 ACCEPTING A UTILITY EASEMENT FROM 2828 AND 2822 HILLIARD ROME ROAD FOR A PUBLIC STORM SEWER.

WHEREAS, Vessel Partners, LLC, (the "Developer"), owns 4.05± acres (the "Property") located on the east side of Hilliard Rome Road at Sutter Home Road, identified as tax parcel identification number 050-002905, and depicted on Exhibit "A" attached hereto and incorporated by reference herein; and

WHEREAS, the Developer filed application number 20-0519LC with the Hilliard Planning and Zoning Commission to rezone the Property from the R-1 Suburban Residential zoning district to a Planned Unit Development ("PUD") pursuant to Chapter 1117 of the City's Codified Ordinances; and

WHEREAS, the PUD text would permit a residential-scale office complex to be constructed on the Property, including administrative, general, medical and professional offices, clinics and laboratories, with all buildings having four-sided architecture elements; and

WHEREAS, on September 10, 2020, following a public hearing on the application, the Planning and Zoning Commission voted 6-0 to forward a positive recommendation to City Council that the property be rezoned to a PUD with the following five conditions:

1. That the text is revised to specify that the minimum building setback is 10 feet from the ultimate Hilliard Rome Road right-of-way line, and that any parking in Subarea 1 must be located behind the building;
2. That the text be revised to specify each setback as a minimum setback;
3. That the text be revised to specify that in Subarea 1, parking will be screened with landscaping as proposed on Exhibit C – Landscape Plan;

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21-R-43 (continued):

4. That the text be revised to show that parking aisles shall be a minimum of 24 feet wide as proposed in Exhibit A – Location Plan; and,
5. That all revisions to the plans and text are made and submitted for staff approval prior to schedule on a City Council agenda.

WHEREAS, the Developer revised the text pursuant to the above P&Z conditions.

WHEREAS, on October 26, 2020, City Council approved a rezoning of the Property from R-1 Suburban Residential to PUD; and

WHEREAS, at its regularly scheduled meeting on March 11, 2021, the Planning and Zoning Commission approved a PUD Final Development Plan under the provisions of The Vessel Park PUD Concept Plan, a lot split, and a sign variance for a 5,325 square foot medical office building on 0.973 acres; and

WHEREAS, the Developer has submitted plans for the construction of the medical office building; and

WHEREAS, the outlet for the proposed storm water management facilities for this medical office building is a City of Columbus storm sewer requiring storm sewer to be constructed across the properties at 2828 and 2822 Hilliard Rome Road in order to reach the existing City of Columbus storm sewer; and

WHEREAS, the storm sewer to be constructed across the properties at 2828 and 2822 Hilliard Rome Road will serve as a public storm sewer for other properties in the area and will be owned and maintained by the City; and

WHEREAS, in order for the City to accept this storm sewer as public infrastructure and be able to maintain it, the Developer has acquired a twenty (20) feet wide utility easement from the 2828 and 2822 Hilliard Rome Road properties for this sewer to the City as shown and described on Exhibits “A” and “B” **attached** hereto and incorporated by reference herein; and

WHEREAS, it is in the interest and benefit of the City of Hilliard and the public at large that the City accepts the utility easements from the properties at 2828 and 2822 Hilliard Rome Road.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. The City of Hilliard hereby accepts the utility easements as shown and described on Exhibits “A” and “B”, attached hereto and incorporated by reference herein.

SECTION 2. The City Engineer and the City Law Director are authorized to approve any necessary administrative changes to Exhibits “A” and “B” in order to affect the proper recording of the easement identified thereon, and are authorized to provide the Clerk of Council with a final recorded copy of said easement.

SECTION 3. The Clerk of Council and City Engineer are authorized to do all acts and to execute all instruments appropriate or necessary to carrying out the terms of this acceptance.

SECTION 4. This Resolution is effective upon its adoption.

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21-R-44 A RESOLUTION OPPOSING LANGUAGE IN SUB. H.B. NO. 110 PROHIBITING THE NEW CONSTRUCTION OF AND LIMITING ONGOING PROVISION OF BROADBAND SERVICE BY THE CITY.

WHEREAS, the City of Hilliard has made a significant investment of more than \$3.5 million in the deployment of conduit and fiber to allow internet providers equitable access to serve our government facilities, corporations, and residents with reliable, high-speed, cost-effective services; and

WHEREAS, this investment has led to the creation of several public-private partnerships to permit small internet service providers to enter the market; and

WHEREAS, due to COVID-19 and the lack of reliable and affordable internet services for many of the City's lower-income families, the City invested in connections to many Hilliard City Schools in order to reach the surrounding neighborhoods via wireless technologies so that students, regardless of socio-economic status, were able to participate in remote learning; and

WHEREAS, one of the most important functions of the City is to provide services where the private sector is unable or chooses not to, and, by investing in the deployment of broadband, the City has ensured that there are reliable and affordable internet options for our residents and businesses; and

WHEREAS, on June 8, 2021, the Ohio Senate Finance Committee included language in Sub. H.B. No. 110, the 2022-2023 State Appropriation legislation, which would prohibit the new construction of and limit the ongoing provision of broadband and other services provided by existing government-owned networks; and

WHEREAS, on June 9, 2021, the Ohio Senate approved the language; and

WHEREAS, in order to ensure that the City is able to continue investing in the deployment of conduit and fiber to allow internet providers equitable access to serve our residents and businesses, the Council of the City of Hilliard hereby strongly opposes the passage of the language proposed in Sub. H.B. No. 110 and strongly urges that the language be removed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hilliard, Ohio, that:

SECTION 1. The City of Hilliard strongly opposes the passage of the language proposed in Sub. H.B. No. 110, prohibiting the City from the construction of new conduit and fiber and limiting the provision of its broadband service in the City.

SECTION 2. The City of Hilliard strongly urges the Ohio General Assembly to remove this language from the bill.

SECTION 3. This Resolution is effective upon its adoption.

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